



UNION CARBIDE CORPORATION P O BOX 579 4625 ROYAL AVE NIAGARA FALLS N Y 14302  
METALS DIVISION

May 2, 1984

Mr. Robert F. Kelly  
Senior Radiologist  
New York State Department of Labor  
State Office Building  
65 Court Street  
Buffalo, NY 14202

Subject: Radioactive Materials License 950-0139 - Status Report

Dear Mr. Kelly:

We have obtained burial allocation at Barnwell, SC for August 1984 in the amount of 1900 ft<sup>3</sup>.

Based on our volume estimate of 7000 ft<sup>3</sup>, it will take us all of 1984 and into 1985 to complete the burial because competition for space tends to intensify at the end of the year.

However, your verbal request to delay the work pending a New York State Department of Health survey, not scheduled by H Michaels until the end of May, will seriously delay the project resulting in loss of allocated burial space. Future schedules depend on the rapidity with which you receive analytical results, make your judgements and issue approval to proceed.

We cannot commit any manpower or funding to a project which has not received the approval of your department. That is the nature of any endeavor involving a state or federal license where a clear cut approved end result is projected which must receive prior approval from the regulatory agency. I would be remiss in my accountability for our limited resources if I acted otherwise.

Up to this point we had your verbal approval as Health Department Representative to proceed with the action plan transmitted to you on April 4, 1984. Since this is not the case, when your department completes its investigation, written approval for the contemplated actions is necessary for the commitment of Union Carbide resources. I now doubt we can complete the work before July 31 and the schedule transmitted to you in my April 4 reply to your March 29, 1984 reissue of your notice of inspection findings, based on a previous New York State survey, is voided.

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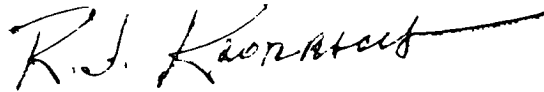
Since our meeting in the first week of April we have performed the following:

- |          |  |
|----------|--|
| April 6  | 1. Hired agents at Barnwell, SC.                                   |
| April 13 | 2. Applied for shipping permit.                                    |
| April 17 | 3. Released \$33,000 of engineering funds and started detail work. |
| April 18 | 4. Began preparation of work descriptions and purchase orders.     |
| April 25 | 5. Cleaned up the area for equipment access                        |
| April 25 | 6. Received shipping permit  |
| May 1    | 7. Received partial burial space allocation                        |

As you can see, in a period of three weeks we have actively pursued every phase of the project and acted in good faith by issuing documented status reports to you covering each of those items. Nobody has raised any question until the request for "holdup of cleanup." If you issue written approval to proceed, as planned, we will not hold up anything pending your survey except the actual excavation which we must be prepared to begin by June 15.

We will await your advice and approval for this corrective action.

Very truly yours,



R. J. Klotzbach  
Director of Technology

/mau

cc: Messrs. W. C. Thurber  
L. G. Evans  
R. A. Crago/R E DeWeese - Elkem

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